

**THE ATTACHED
AMENDMENTS
ARE TO BILLS
THAT WILL
BE
HEARD ON
HOUSE REGULAR
CALENDAR
TODAY
MONDAY
APRIL 02, 2018**

Amendment No. 1 to HB2325

**Lamberth
Signature of Sponsor**

AMEND Senate Bill No. 2677

House Bill No. 2325*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-7-226, is amended by deleting subsection (a) and substituting instead the following:

(a) All assistant district attorneys general hired after July 1, 1994, or reclassified pursuant to § 8-7-201(e)(3), shall be compensated according to the following pay schedule:

Entry level	\$ 49,080
after one (1) year	52,164
after two (2) years	55,248
after three (3) years	58,344
after four (4) years	61,452
after five (5) years	64,512
after six (6) years	67,596
after seven (7) years	70,704
after eight (8) years	73,812
after nine (9) years	76,872
after ten (10) years	79,968
after eleven (11) years	83,052
after twelve (12) years	86,100
after thirteen (13) years	89,184
after fourteen (14) years	92,256
after fifteen (15) years	95,328

Amendment No. 1 to HB2325

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 2677

House Bill No. 2325*

after sixteen (16) years	98,424
after seventeen (17) years	101,220
after eighteen (18) years	103,932
after nineteen (19) years	106,548
after twenty (20) years	109,020
after twenty-one (21) years	112,620
after twenty-two (22) years	116,316
after twenty-three (23) years	120,144
after twenty-four (24) years	124,392
after twenty-five (25) years	128,616.

SECTION 2. Tennessee Code Annotated, Section 8-14-107, is amended by deleting subdivision (b)(1) and substituting instead the following:

(1) A full-time assistant district public defender shall be compensated according to the following pay schedule:

Entry level	\$	49,080
after one (1) year		52,164
after two (2) years		55,248
after three (3) years		58,344
after four (4) years		61,452
after five (5) years		64,512
after six (6) years		67,596
after seven (7) years		70,704

after eight (8) years	73,812
after nine (9) years	76,872
after ten (10) years	79,968
after eleven (11) years	83,052
after twelve (12) years	86,100
after thirteen (13) years	89,184
after fourteen (14) years	92,256
after fifteen (15) years	95,328
after sixteen (16) years	98,424
after seventeen (17) years	101,220
after eighteen (18) years	103,932
after nineteen (19) years	106,548
after twenty (20) years	109,020
after twenty-one (21) years	112,620
after twenty-two (22) years	116,316
after twenty-three (23) years	120,144
after twenty-four (24) years	124,392
after twenty-five (25) years	128,616.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 2 to HB2325

**Farmer
Signature of Sponsor**

AMEND Senate Bill No. 2677

House Bill No. 2325*

by inserting the following as a new Section 3 and renumbering the effective date section accordingly:

SECTION 3. Tennessee Code Annotated, Section 8-14-107, is amended by deleting subdivision (c)(1) and substituting instead the following:

Effective July 1, 2018, all full-time district investigators shall be compensated according to the following pay schedule:

Entry level	\$33,852
after two (2) years	\$36,924
after four (4) years	\$39,972
after six (6) years	\$43,032
after eight (8) years	\$46,164
after ten (10) years	\$49,188
after twelve (12) years	\$52,320
after fourteen (14) years	\$55,332
after sixteen (16) years	\$58,428
after eighteen (18) years	\$61,512
after twenty (20) years	\$64,584

Local Government Committee 1

Amendment No. 1 to HB1847

**Wirgau
Signature of Sponsor**

AMEND Senate Bill No. 1635*

House Bill No. 1847

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-19-120(a), is amended by adding the language ", social media platform," immediately following the language "direct mailing" and by deleting the following language:

Such person is not required to place the disclaimer on the front face or page of any such material, as long as a disclaimer appears within the communication, except on communications, such as billboards, that contain only a front face.

and substituting instead the language:

Such person is not required to place the disclaimer on the front face or page of any such material as long as a disclaimer appears within the communication, except on communications, such as billboards, that contain only a front face, or on an online political advertisement, when including the disclaimer would be impracticable due to size and text limitations, as long as the account posting the advertisement displays the disclaimer required by this section on its profile or includes a hyperlink to a website containing the disclaimer required by this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2082

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 2654

House Bill No. 2082*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-12-104, is amended by deleting the section and substituting instead the following:

(a) The museum shall occupy space in Nashville at the James K. Polk State Office Building and Cultural Complex, on the ground floor of the south wing of the War Memorial Building, and at 1000 Rosa L. Parks Boulevard. All three (3) facilities shall be open on days and during hours as determined by the Douglas Henry state museum commission.

(b) The Douglas Henry state museum commission is authorized to name any portion or portions of the museum.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2520

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 2133*

House Bill No. 2520

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 35, Part 2, is amended by adding the following as a new section:

(a) As used in this section, "sterilization" means the process of rendering an individual incapable of sexual reproduction by castration, vasectomy, salpingectomy, or some other procedure and includes endoscopic techniques for female sterilization that can be performed outside of a hospital without general anesthesia such as culdoscopic, hysteroscopic, and laparoscopic sterilization.

(b) No guilty plea agreement or plea of nolo contendere shall be accepted by the court nor shall any criminal sentence be imposed by a judge if any part of the plea or sentence is in whole or in part conditioned or based upon the criminal defendant submitting to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given.

(c) A sentencing court shall not make a sentencing determination that is based in whole or in part on the defendant's consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given.

(d) This section shall not apply to the provision of educational services on the matters of temporary or permanent birth control, sterilization, or family planning services.

SECTION 2. Tennessee Code Annotated, Section 40-35-302, is amended by adding the following as a new subsection:

Amendment No. 1 to HB2520

Lamberth
Signature of Sponsor

AMEND Senate Bill No. 2133*

House Bill No. 2520

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(1) As used in this subsection, "sterilization" means the process of rendering an individual incapable of sexual reproduction by castration, vasectomy, salpingectomy, or some other procedure and includes endoscopic techniques for female sterilization that can be performed outside of a hospital without general anesthesia such as culdoscopic, hysteroscopic, and laparoscopic sterilization.

(2) A sentencing court shall not make a sentencing determination that is based in whole or in part on the defendant's consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given.

(3) This subsection shall not apply to the provision of educational services on the matters of temporary or permanent birth control, sterilization, or family planning services.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any plea agreement or plea of nolo contendere entered into or sentencing determination made on or after the effective date.

Amendment No. 1 to HB1240

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 1386

House Bill No. 1240*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49, Chapter 1, Part 2, is amended by adding the following language as a new section:

(a) As used in this section, "adverse childhood experiences" or "ACEs" mean stressful or traumatic events experienced by a minor child. ACEs include, but are not limited to, a child witnessing, or being the victim of, physical abuse, sexual abuse, emotional abuse, physical neglect, emotional neglect, domestic violence, substance abuse, mental illness, parental separation or divorce, and incarceration.

(b) The department of education shall develop an evidence-based training program on ACEs for school leaders and teachers. The training may be delivered through the trainer of trainers model under § 49-1-213, and shall include:

(1) The effects of ACEs on a child's mental, physical, social, behavioral, emotional, and cognitive development;

(2) ACEs as a risk factor for the development of substance abuse disorders and other at-risk health behaviors;

(3) Trauma-informed principles and practices for classrooms; and

(4) How early identification of children exposed to one (1) or more ACEs may improve educational outcomes.

(c) An LEA may develop its own ACEs training program to make available to the LEA's school personnel.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring

Education Administration & Planning 1

Amendment No. 1 to HB1240

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 1386

House Bill No. 1240*

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Amendment No. 1 to HB1975

**Marsh
Signature of Sponsor**

AMEND Senate Bill No. 2212

House Bill No. 1975*

by deleting all language after the caption and substituting instead the following:

WHEREAS, Tennessee law requires nonprofit corporations organized under the Tennessee Nonprofit Corporation Act to use their assets to fulfill their charitable purposes and not for the benefit of private parties; and

WHEREAS, certain nonprofit corporations organized and operated under Tennessee law are licensed or chartered as regional or local chapters, councils, or other designations, by separate legal entities in the form of nonprofit foreign corporations operating nationally; and

WHEREAS, the terms of some of these license or charter agreements reflect a profound imbalance of power that fails to give regard to the legitimate interests and charitable purposes of Tennessee nonprofit corporations; and

WHEREAS, the General Assembly has a significant interest in protecting the assets of Tennessee nonprofit corporations; and

WHEREAS, it is the intent of the General Assembly that Tennessee nonprofit corporations be protected from risk of loss of their licenses or charters from national nonprofit corporations for reasons that are not based on good cause; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 48, Chapter 53, is amended by adding the following as a new part:

(a) This part shall be known and may be cited as the "Nonprofit Fair Asset Protection Act."

(b) Notwithstanding any provision of law to the contrary, it is unlawful for:

Amendment No. 1 to HB1975

**Marsh
Signature of Sponsor**

AMEND Senate Bill No. 2212

House Bill No. 1975*

(1) A national nonprofit corporation that has received a charter under 36 U.S.C. Subt. II, Pt. B, to terminate, revoke, suspend, or fail to renew a license or charter affiliating a Tennessee nonprofit corporation with the national nonprofit corporation absent good cause;

(2) A national nonprofit corporation that has received a charter under 36 U.S.C. Subt. II, Pt. B, to discriminate against a licensed or chartered affiliated Tennessee nonprofit corporation by imposing requirements not imposed on other similarly situated affiliates of the national nonprofit corporation; or

(3) A national nonprofit corporation that has received a charter under 36 U.S.C. Subt. II, Pt. B, to act indirectly to accomplish what would be otherwise prohibited under this part.

(c) For the purpose of this part, "good cause" means to exclude any refusal or failure by the Tennessee nonprofit corporation to make purchases of or to contract to make purchases of goods or services where the board of directors of the Tennessee nonprofit corporation determines, according to the standards set forth in § 48-58-301, that making a purchase or contracting to make a purchase is not in the best interest of the Tennessee nonprofit corporation or is commercially unreasonable.

(d) Any condition, stipulation, provision, or term of any agreement that is in conflict with this part or that would purport to waive or restrict the application of any provision of this part is void and unenforceable.

(e) Nothing in this part abrogates or amends the standards for directors set forth in § 48-58-301.

(f) In addition to any other remedies or rights of actions, a Tennessee nonprofit corporation that is injured by a violation or threatened violation of this part may bring a private right of action for injunctive relief and to recover costs and reasonable attorneys' fees if the Tennessee nonprofit corporation is the prevailing party in the action.

(g) All ordinances, resolutions, rules, or requirements of any type that are in conflict with this part are void and unenforceable.

SECTION 2. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2423

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 2126*

House Bill No. 2423

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-6-102, is amended by deleting the section and substituting instead the following:

As used in this chapter, unless the context otherwise requires:

(1) "Abate" or "abatement" in connection with any building means the removal or correction of any conditions that constitute a public nuisance and the making of any other improvements that are needed to effect such a rehabilitation of the building as is consistent with maintaining safe and habitable conditions over its remaining useful life;

(2) "Acceptable petitioner" means:

(A) Any nonprofit corporation;

(B) The municipal corporation within which such subject parcel is located;

(C) The owner or legal occupant of a parcel of real property that is adversely impacted by the condition of the subject parcel; or

(D) Any interested person;

(3) "Building" means any building or structure that is located on the subject parcel;

(4) "Certified person" means any person determined by the court pursuant to Section 4 to be qualified as a receiver or a qualified buyer;

Amendment No. 1 to HB2423

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 2126*

House Bill No. 2423

(5) "Dwelling unit" means a building or the part of a building that is intended to be used as a home, residence, or sleeping place;

(6) "Governmental authority" means any court or governmental, administrative, legislative, regulatory, adjudicatory, or arbitral body, agency, commission, department, board, bureau, tribunal, or instrumentality of the United States or of any state, commonwealth, nation, territory, possession, county, parish, or municipality, whether now or hereafter constituted or existing, having or claiming jurisdiction over the subject parcel;

(7) "Interested person" means, with respect to a subject parcel, any owner, named trustee, or other person that:

(A) Holds, or is the assignee of the holder of, a lien against that subject parcel;

(B) Is named as a nominee or agent of the holder of an obligation that is secured by a deed or a deed of trust affecting such subject parcel;

(C) Holds the benefit of an easement appurtenant to such subject parcel;

(D) Holds the benefit of a restrictive real covenant against such subject parcel; or

(E) Possesses an interest of record in or to such subject parcel;

(8) "Municipal corporation" means any incorporated city or any county, including any county having a metropolitan form of government, and the code

enforcement department or agency or other unit responsible for enforcing building and property conditions in the territorial jurisdiction of the city or county;

(9) "Nonprofit corporation" means any nonprofit corporation that has been duly organized and is in good standing under the laws of this state;

(10) "Owner" means one (1) or more persons, jointly or severally, in whom is vested all or part of the legal title to, or beneficial ownership of, the subject parcel;

(11) "Person" means any individual, firm, corporation, association, trust, partnership, joint venture, limited liability company, governmental authority, or other entity;

(12) "Public nuisance" means any building that is:

(A) A menace to the public health, welfare, or safety;

(B) Structurally unsafe, unsanitary, or not provided with adequate safe egress;

(C) A fire hazard, dangerous to human life, or no longer fit and habitable;

(D) A nuisance, as defined in § 29-3-101; or

(E) Otherwise determined by the court or a municipal corporation to be a violation of any local building, housing, air pollution, sanitation, health, fire, zoning, or safety code, ordinance, or regulation applicable to any subject parcel;

(13) "Qualified buyer" means any person determined by the court to be a certified person as provided in Section 4;

(14) "Receiver" means any certified person appointed by the court for the purpose of preserving or improving the subject parcel and all of the powers of a

receiver appointed for tax enforcement pursuant to § 67-5-2103 are, as applicable, the powers of a receiver appointed pursuant to this chapter;

(15) "Receiver's lien" means a first priority lien in favor of the receiver against the subject parcel that, with regard to the subject parcel, upon approval of the court, secures:

(A) Any and all direct and indirect expenses and costs incurred by the receiver, including reasonable attorney's fees and costs;

(B) Any and all outstanding municipal fines, penalties, expenditures, and assessments;

(C) Any and all amounts attributable to state and local taxes and assessments, including any and all outstanding amounts secured by delinquent property tax liens; and

(D) A fee, payable to the receiver, equal to ten percent (10%) of the total of the amounts provided under subdivision (15)(A), but in no event less than two thousand five hundred dollars (\$2,500);

(16) "Residential property" means a subject parcel that includes one (1) or more dwelling units that is owner-occupied and the owner's principal place of residence, or that is otherwise intended for single-family residential use;

(17) "Residential rental property" means a building or structure consisting of one (1) or two (2) dwelling units; and

(18) "Subject parcel" means a tract or item of real or personal property that becomes subject to the jurisdiction of a court pursuant to this chapter.

SECTION 2. Tennessee Code Annotated, Section 13-6-105, is amended by deleting the section and substituting instead the following:

This chapter shall apply:

(1) In any county having a metropolitan form of government that has a population in excess of five hundred thousand (500,000), according to the 2000 federal census or any subsequent federal census;

(2) In any county having a population in excess of eight hundred thousand (800,000), according to the 2000 federal census or any subsequent federal census;

(3) In any county having a population of not less than ninety-eight thousand two hundred (98,200) nor more than ninety-eight thousand three hundred (98,300), according to the 2010 federal census or any subsequent federal census; and

(4) In any county or municipality that has formed a land bank pursuant to § 13-30-104.

SECTION 3. Tennessee Code Annotated, Section 13-6-106, is amended by deleting the section and substituting instead the following:

(a) An acceptable petitioner may file a petition for a judgment in rem against a subject parcel, naming the subject parcel as the defendant and seeking an order that the subject parcel is a public nuisance and for the abatement of the public nuisance. A proceeding pursuant to this section shall be a proceeding in rem. If the applicable municipal corporation is not the acceptable petitioner, then the applicable municipal corporation shall be put on notice of the in rem proceeding and provided with a full copy of the petition as filed by the acceptable petitioner. If the acceptable petitioner has not attached a certificate of public nuisance to the petition, the municipal corporation shall complete an inspection of the subject parcel within thirty (30) calendar days after the first setting of the matter in court, and the court shall promptly schedule a hearing on the issue of public nuisance. At the conclusion of the hearing on the issue of public nuisance, the court shall determine whether or not the issuance of a certificate of public

nuisance is warranted. The court shall dismiss the action if the subject parcel is found not to be a public nuisance by the court.

(b) The petition filed pursuant to subsection (a) must include a draft order of compliance setting forth the relief requested as described in this section and shall specifically request the appointment of a receiver if an order of compliance pursuant to subsection (e) is entered and if the owner fails to comply with such order.

(c) The filing of a petition for a judgment in rem pursuant to subsection (a) shall:

(1) Create a receiver's lien that secures an undetermined amount until the court establishes the amount. The precise amount of the receiver's lien will be established by the court at any time upon the request of any owner, interested person, or the receiver. The receiver's lien shall be a first lien on the subject parcel, which is superior to all prior and subsequent liens or other encumbrances associated with the subject parcel. The acceptable petitioner shall file for record in the register's office of the county an abstract certified by the clerk, within one (1) day of certification by the clerk, containing the names of the parties to the suit, a statement that petition has been filed pursuant to this section, a description of the subject parcel and its ownership, and a brief statement of the nature and amount of the lien sought to be imposed, all in compliance with § 20-3-101, which filing shall act as a lien *lis pendens* against the subject parcel. The outstanding principal amount of the receiver's lien carries interest at a standard statutory rate applicable to judgment liens as provided in § 67-5-2010;

(2) Act as a bar of any transfer of title of the subject parcel or of any interests pertaining to such subject parcel, including, but not limited to, transfers by tax sale or other foreclosure, transfers or creation of lien interests in the subject parcel, or otherwise, from the date of the filing until the petition is dismissed or until specific orders of the court authorizing a transfer of title, if the

petition has attached a certificate of public nuisance issued pursuant to subsection (a); and

(3) Authorize the municipal corporation, in its discretion, to access the subject parcel for boarding, securing, and maintaining the subject parcel at any time if it has been determined by the court that the owner has failed to do so. Any costs incurred by the municipal corporation shall be charged to the owner.

(d) Notice of a petition for a judgment in rem filed pursuant to subsection (a) shall, at a minimum, be provided to each owner and interested person identified by a thorough title search and examination of the subject parcel, including a search of court records of the county where the subject parcel is located. The petitioner shall file with the court a certification that notice has been provided pursuant to this subsection.

Notice shall be provided by:

- (1) Sending a copy of the petition by first-class mail to the last known address of record;
- (2) Posting a copy of the petition in a conspicuous place on the building;
- (3) Publication of the petition in a newspaper of general circulation published in the county where the subject parcel is located; and
- (4) Sending a copy of the petition by first-class mail addressed to "occupant" at the subject parcel.

(e) If the subject parcel is found to be a public nuisance, the court shall issue an order of compliance requiring the owner of the subject parcel to produce a plan for the abatement of the public nuisance. The acceptable petitioner shall file such order in the register's office of the county where the subject parcel is located. The plan must comply with subsection (h) and must be approved by the court. If the owner has commenced work on the subject parcel prior to, or during the pendency of the action, the owner is required to provide a report of the work that has been completed to date, as well as a

plan for the abatement of the public nuisance. Once a plan is approved by the court, the municipal corporation shall provide periodic updates to the court on the owner's progress towards completion of the plan and other relevant information about the subject parcel and surrounding area. Upon a finding by the court that the subject parcel is a public nuisance, the court may award all reasonable attorney's fees and costs to the person filing the petition for a judgment in rem.

(f) If the owner fails to comply with the court's order of compliance pursuant to subsection (e), the court may allow an interested person the opportunity to undertake the work to abate the public nuisance pursuant to a plan that complies with subsection (h) submitted by such interested person.

(g) If the actions pursuant to subsections (e) and (f) fail to abate the public nuisance, the court may authorize a receiver to take possession and control of the subject parcel to abate the public nuisance pursuant to a plan submitted by such receiver that complies with subsection (h). A receiver appointed pursuant to this chapter is not personally liable for actions taken pursuant to the receivership except for misfeasance, malfeasance, or nonfeasance in the performance of the functions of the office.

(h)

(1) Prior to ordering any action be taken to abate the public nuisance, the court shall cause a detailed development plan to be submitted for review, which must include, but is not limited to:

(A) A detailed budget for abating the public nuisance;

(B) A projected timeline for abating the public nuisance;

(C) If repair and rehabilitation of the subject parcel are found not to be feasible, the cost of demolition of the subject parcel or of the portions of the subject parcel that constitute the public nuisance; and

(D) The terms, conditions, and availability of any financing that is necessary to abate the public nuisance or a show of sufficient assets.

(2) If the receiver is submitting the plan, the receiver may petition the court for authority to conduct an auction and sale to a qualified buyer, in accordance with subsection (j), without abatement of the public nuisance upon showing that the terms of the auction minimum bid will include a bond or other security, in an amount fixed by the court, ensuring performance of the remediation within nine (9) months of the date of the auction sale, executed by the qualified buyer in favor of the receiver.

(i)

(1) If the court deems a plan submitted by a receiver to be sufficient and appropriate, the court may empower the receiver to:

(A) Take possession and control of the subject parcel;

(B) Pay all expenses of operating and conserving the subject parcel, including obtaining property insurance;

(C) Pay prereceivership mortgages or installments of such mortgages and other liens; and

(D) Implement the plan; provided, that, if the plan requires demolition, the court shall order that the demolition be done properly and in compliance with applicable laws.

(2) The receiver shall file a report with the court every sixty (60) calendar days and, upon completion of the detailed development plan, shall file a final report with the court indicating that the public nuisance has been abated and moving for the establishment of the full amount of the receiver's lien. Upon a finding by the court that the public nuisance has been abated and establishing the amount of the receiver's lien, the owner shall be put on notice that the owner

has thirty (30) days from such finding to satisfy the receiver's lien in full. If the owner satisfies the receiver's lien in full during such time, the receivership shall be terminated by order of the court.

(j) If the receiver's lien is not satisfied by the owner pursuant to subdivision (i)(2), the court shall direct the receiver to offer the subject parcel for sale in accordance with the following:

(1) The sales procedure shall follow the procedures provided in §§ 35-5-101 - 35-5-109;

(2) The minimum bid at a receiver's lien sale shall be the full amount of the receiver's lien;

(3) If any local land bank formed pursuant to § 13-30-104 notifies the receiver in writing in advance of the receiver's lien sale that it wishes to enter the minimum bid for cash for the subject parcel, then such minimum bid shall preempt all other bids, and the local land bank shall be the prevailing bidder;

(4) If there is no bidder at the receiver's lien auction for greater than the minimum bid, the subject parcel shall be transferred by receiver's deed to the receiver, and there shall be no requirement of cash payment of the minimum bid by the receiver;

(5) When the successful bid is paid in cash, the amount of the minimum bid is paid to satisfy the receiver's lien, including payment to the appropriate property tax officials, of that portion of the receiver's lien that constituted delinquent property taxes. Any surplus shall be distributed, as approved by the court, to the owner and interested persons in the priority in which their interests encumbered the subject parcel prior to the auction; and

(6) The receiver shall report the prevailing bid at the sale to the court, and upon approval by the court, a receiver's deed shall be issued to the

successful bidder and promptly recorded in the office of the register of deeds.

The county trustee shall be allowed a credit pursuant to § 67-5-1903(b)(1) for any local taxes and assessments that are not collected as a result of the failure of the receiver's lien sale to receive a cash payment for the minimum bid pursuant to subdivision (j)(2). Title shall be absolute in the purchaser, and the interests of any interested persons prior to the auction shall be terminated as of the date of the sale. The receivership shall be terminated after the sale by order of the court after a hearing on receiver's motion for termination of the receivership.

(k)

(1) Nothing in this chapter limits the powers granted to a court having jurisdiction pursuant to § 13-6-107.

(2) The monetary and other limitations specified in § 16-15-501(d)(1) upon any court with jurisdiction over an action described in subsection (a) do not operate as limitations upon any of the following:

(A) Expenditures of a mortgagee, lienholder, other interested person, or receiver that has been selected pursuant to subsection (f) or (g) to undertake the work and to furnish the materials necessary to abate a public nuisance;

(B) Any notes issued by a receiver;

(C) Any mortgage granted by a receiver;

(D) Expenditures in connection with the foreclosure of a mortgage granted by a receiver in accordance with subsection (i);

(E) The enforcement of an order of a judge entered pursuant to this chapter; or

(F) The actions that may be taken pursuant to this chapter by a receiver or a mortgagee, lienholder, or other interested person that has

been selected pursuant to subsection (f) or (g) to undertake the work and to furnish the materials necessary to abate a public nuisance.

(3) A judge in a civil action described in subsection (a), or the judge's successor in office, has continuing jurisdiction to review and order correction of the condition of any subject parcel that was determined to be a public nuisance pursuant to this chapter.

SECTION 4. Tennessee Code Annotated, Title 13, Chapter 6, is amended by adding the following as a new section:

(a) Any person seeking to be qualified as a certified person shall make application to the applicable court in the county in which such person seeks to serve, on such form and according to such standards and procedures as such court reasonably may require, including the following, which the court may require to be brought current at any time, as applicable:

(1) An external verification of good standing;

(2) The articles of incorporation and bylaws or formation documents;

(3) Evidence of financial capacity to carry out an abatement plan, including audited financial statements of the person for the past five (5) years, where applicable;

(4) A formal conflict of interest policy governing the staff, officers, and the board of directors, if applicable;

(5) Evidence of the administrative capacity to successfully undertake the abatement plan; and

(6) Any other documents, evidence, or assurances that the court may require.

(b) Any local land bank formed pursuant to §13-30-104 is a certified person for all purposes under this chapter. In the court's discretion, an acceptable petitioner may also be qualified as a certified person who is appointed as a receiver.

SECTION 5. Tennessee Code Annotated, Section 13-30-102, is amended by deleting subdivision (6).

SECTION 6. Tennessee Code Annotated, Section 13-30-110, is amended by adding the following new subsections:

(f)

(1) The corporation may provide written notice to the clerk and master in advance of any delinquent property tax sale auction held pursuant to § 67-5-2005(b) that it wishes to enter the minimum bid for cash for any parcel advertised for sale in such auction, and such minimum bid shall preempt all other bids for said parcel, and the local land bank shall be the prevailing bidder.

(2) If there are no other bidders on a parcel under subdivision (f)(1), such minimum bid shall be accepted for no cash, and the local land bank shall be the prevailing bidder and take title to said parcel in the same manner as a municipality bidding the minimum bid.

(g) Commencing upon the date of transfer of any real property from a land bank to a taxable person or entity, if approved by local government, the land bank shall be entitled to receive payments from the local government equal to fifty percent (50%) of real property taxes collected by the local government for a period of five (5) years.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2434

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 2174*

House Bill No. 2434

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-9-108, is amended by deleting the section.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) As used in this section, "college system of Tennessee" means the community colleges and colleges of applied technology governed by the board of regents.

(b) As used in this section, "state universities" means:

- (1) The University of Tennessee and all its several branches;
- (2) The University of Memphis;
- (3) Tennessee State University;
- (4) Austin Peay State University;
- (5) Middle Tennessee State University;
- (6) Tennessee Technological University; and
- (7) East Tennessee State University.

(c) The state universities and the college system of Tennessee are authorized to issue diplomas, certificates of credit, or official transcripts only after the student involved has satisfied all debts or obligations owed to the college or university, including, but not limited to, its bookstores, libraries, food service centers, dormitories, infirmaries, or hospitals. The limitation of this subsection (c) shall not apply to debts of less than one hundred dollars (\$100.00).

Amendment No. 1 to HB2434

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 2174*

House Bill No. 2434

(d) The limitation in subsection (c) does not apply to debts or obligations evidenced by notes or other written contracts providing for future payment, such as, but not limited to, loans authorized under federal or state education or student assistance acts.

(e) Notwithstanding the limitation in subsection (c), the colleges in the college system of Tennessee shall issue a certificate of credit or official transcript for a student seeking admission to any college in that system if the student has entered a written agreement to satisfy the outstanding debt or obligation owed to the college issuing the certificate of credit or official transcript. Any certificate of credit or official transcript issued under this subsection (e) shall indicate that it is subject to an outstanding debt owed to the issuing college. The college receiving a certificate of credit or official transcript issued under this subsection (e) shall not subsequently issue a diploma, certificate of credit, or official transcript to that student until it receives proof that the student has satisfied the outstanding debt to the college that issued the certificate of credit or official transcript.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2170

**Marsh
Signature of Sponsor**

AMEND Senate Bill No. 2068*

House Bill No. 2170

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 5-16-103, is amended by adding the following as a new subsection:

(n) Notwithstanding subsections (a)-(d), a county having a population greater than nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census, that creates a county board of public utilities on or after the effective date of this act may call, in the resolution creating the board, for the election of the members of the board at the regular August election. The resolution shall:

- (1) Specify the number of members of the board of public utilities;
- (2) Specify the length of the terms of the members;
- (3) Provide for the staggering of terms;
- (4) Provide for the removal of members;
- (5) Provide for the filling of vacancies on the board; and
- (6) Specify the compensation for the members, if any.

SECTION 2. Tennessee Code Annotated, Section 5-16-109, is amended by adding the following as a new subsection:

(c) A board or administrative agency that is increasing the charges for fire protection services by more than ten percent (10%) shall obtain approval for such increase from the county legislative body prior to the increase taking effect. This subsection applies in any county having a population greater than nine hundred

Amendment No. 1 to HB2170

Marsh
Signature of Sponsor

AMEND Senate Bill No. 2068*

House Bill No. 2170

thousand (900,000), according to the 2010 federal census or any subsequent federal census.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2412

**Marsh
Signature of Sponsor**

AMEND Senate Bill No. 2306*

House Bill No. 2412

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 3-6-309, is amended by designating the language in subsection (b) as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2) Notwithstanding subdivision (b)(1), the commission may elect not to suspend, deny, or revoke the registration of a lobbyist if the commission determines that the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 2. Tennessee Code Annotated, Section 3-6-309, is amended by adding the following as a new subdivision (c)(2)(C)(v):

(v) Whether the debtor's default or delinquency is the result of a medical hardship that prevented the debtor from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 3. Tennessee Code Annotated, Section 23-3-111, is amended by adding the following at the end of the section:

The supreme court is further encouraged to establish guidelines that would not suspend, deny, or revoke the license of an attorney if the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

Amendment No. 1 to HB2412

**Marsh
Signature of Sponsor**

AMEND Senate Bill No. 2306*

House Bill No. 2412

SECTION 4. Tennessee Code Annotated, Section 49-5-108, is amended by designating the language in subdivision (d)(2) as subdivision (d)(2)(A) and adding the following as a new subdivision (d)(2)(B):

(B) Notwithstanding subdivision (d)(2)(A), the state board of education may elect not to suspend, deny, or revoke the license or certificate of a teacher if the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 5. Tennessee Code Annotated, Section 49-7-2125, is amended by designating the language in subsection (b) as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2) Notwithstanding subdivision (b)(1), the secretary of state may elect not to suspend, deny, or revoke the registration of an athlete agent or applicant if the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 6. Tennessee Code Annotated, Section 49-7-2125, is amended by adding the following as a new subdivision (c)(2)(C)(v):

(v) Whether the debtor's default or delinquency is the result of a medical hardship that prevented the debtor from working in the debtor's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 7. Tennessee Code Annotated, Section 56-1-109, is amended by designating the language in subsection (b) as subdivision (b)(1) and adding the following as a new subdivision (b)(2):

(2) Notwithstanding subdivision (b)(1), a licensing authority may elect not to suspend, deny, or revoke the license of a person if the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 8. Tennessee Code Annotated, Section 56-1-109, is amended by adding the following as a new subdivision (c)(2)(C)(v):

(v) Whether the debtor's default or delinquency is the result of a medical hardship that prevented the debtor from working in the debtor's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 9. Tennessee Code Annotated, Section 56-1-312, is amended by designating the language in subsection (a) as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(2) Notwithstanding subdivision (a)(1), a licensing authority may elect not to suspend, deny, or revoke the license of a person if the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 10. Tennessee Code Annotated, Section 56-1-312, is amended by adding the following as a new subdivision (b)(2)(C)(iv):

(iv) Whether the debtor's default or delinquency is the result of a medical hardship that prevented the debtor from working in the debtor's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 11. Tennessee Code Annotated, Section 63-1-141, is amended by designating the language in subsection (a) as subdivision (a)(1) and adding the following as a new subdivision (a)(2):

(2) Notwithstanding subdivision (a)(1), a licensing authority may elect not to suspend, deny, or revoke the license of a person if the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 12. Tennessee Code Annotated, Section 63-1-141, is amended by adding the following as a new subdivision (b)(2)(C)(iv):

(iv) Whether the debtor's default or delinquency is the result of a medical hardship that prevented the debtor from working in the debtor's licensed field and the medical hardship significantly contributed to the default or delinquency.

SECTION 13. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2019, the public welfare requiring it.

Education Administration & Planning 1

Amendment No. 1 to HB0075

Brooks H
Signature of Sponsor

AMEND Senate Bill No. 578

House Bill No. 75*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-302(a)(5)(A)(iv), is amended by deleting the subdivision and substituting instead the following:

Discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates; provided, that the policies provide licensed personnel with timely due process and are otherwise in compliance with the due process requirements of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 2 to HB0075

**Faison
Signature of Sponsor**

AMEND Senate Bill No. 578

House Bill No. 75*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-302(a)(5)(A)(iv), is amended by deleting the subdivision and substituting instead the following:

Discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates; provided, that the policies provide licensed personnel with timely due process and are otherwise in compliance with the due process requirements of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5;

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 5, Part 2, is amended by adding the following new section:

(a) A preliminary, procedural, or intermediate licensure action or ruling of the state board of education is immediately reviewable under § 4-5-322 if review of the board's final decision would not provide an adequate remedy.

(b) If, on appeal to the chancery court pursuant to § 4-5-322, the court reverses or modifies the state board of education's decision upon a finding that the rights of the petitioner have been prejudiced as specified in § 4-5-322(h)(1)-(5), then the state board of education shall institute the further proceedings as ordered by the court. If the petitioner's license is reinstated after judicial review, the petitioner shall be paid the full salary for the period during which the petitioner's license was improperly suspended or revoked.

Amendment No. 2 to HB0075

Faison
Signature of Sponsor

AMEND Senate Bill No. 578

House Bill No. 75*

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring
it.

Amendment No. 1 to HB1929

Akbari
Signature of Sponsor

AMEND Senate Bill No. 2214

House Bill No. 1929*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Stopping Addiction and Fostering Excellence (SAFE) Act."

SECTION 2. Tennessee Code Annotated, Title 13, Chapter 24, Part 1, is amended by adding the following new section:

(a) As used in this section:

(1) "Municipality" means an incorporated city or town, or a county with a metropolitan form of government; and

(2)

(A) "Sober living home" means any home classified as a "single family residence" under § 13-24-102 that provides alcohol-free or drug-free housing, promotes independent living, life skill development, and reintegration, and provides structured activities that are directed primarily toward a group of unrelated individuals who are recovering from drug or alcohol addiction and who may be receiving outpatient healthcare services for substance abuse or addiction treatment while living in the home;

(B) "Sober living home" does not mean:

(i) A home that is chartered by a 501(c)(3) nonprofit organization that:

Amendment No. 1 to HB1929

Akbari
Signature of Sponsor

AMEND Senate Bill No. 2214

House Bill No. 1929*

(a) Serves as an umbrella organization and organizes homes into chapters; and

(b) Is governed by a council and board of directors that maintain the sole right to charter, and revoke the charter of, a home;

(ii) A home that is an affiliate of a 501(c)(3) nonprofit organization located in this state that:

(a) Pre-screens new affiliates;

(b) Requires affiliates to adhere to a code of ethics;

and

(c) Requires affiliates to make an annual contribution based on the number of recovery residences; or

(iii) A home or facility that is licensed or funded by the department of mental health and substance abuse services.

(b) A municipality may adopt an ordinance requiring each sober living home to display in a prominent place within the sober living home, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

NOTICE: THIS IS A SOBER LIVING HOME THAT PROVIDES HOUSING TO MEN AND/OR WOMEN WHO DO NOT REQUIRE MORE STRUCTURED TREATMENT ENVIRONMENTS. THIS HOME

PROMOTES INDEPENDENT LIVING, LIFE SKILL DEVELOPMENT, AND REINTEGRATION. THIS HOME IS DESIGNED TO ASSIST MEN AND/OR WOMEN TO RECOVER FROM DRUG OR ALCOHOL ADDICTION. **THIS HOME IS NOT LICENSED OR FUNDED BY THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES** AS IT IS PRIVATELY FUNDED AND DOES NOT PROVIDE TREATMENT SERVICES.

IF YOU ARE IN NEED OF TREATMENT SERVICES, PLEASE CALL THE TENNESSEE REDLINE AT 1-800-889-9789.

IF YOU WOULD LIKE ADDITIONAL INFORMATION REGARDING ADDITIONAL SUBSTANCE ABUSE SERVICES AND RESOURCES, INCLUDING SOBER LIVING OPTIONS, PLEASE VISIT THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES WEBSITE AT <https://www.tn.gov/behavioral-health.html>. THIS IS A NOTICE POSTED PURSUANT TO [MUNICIPALITY CODE REFERENCE].

(c) A municipality shall display in the city hall or other building which houses the municipality's seat of local government, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating:

PURSUANT TO TENNESSEE CODE ANNOTATED § 33-2-405, IT IS UNLAWFUL FOR A PERSON, PARTNERSHIP, ASSOCIATION, OR CORPORATION TO OWN OR OPERATE A SERVICE OR FACILITY THAT PROVIDES ALCOHOL AND DRUG ABUSE PREVENTION AND/OR TREATMENT WITHIN THE MEANING OF TITLE 33 OF THE TENNESSEE CODE ANNOTATED WITHOUT HAVING OBTAINED A LICENSE. A VIOLATION OF THIS REQUIREMENT IS A CLASS B

MISDEMEANOR. EACH DAY OF OPERATION WITHOUT A LICENSE CONSTITUTES A SEPARATE OFFENSE. REPORT ANY SUSPECTED UNLICENSED ALCOHOL AND DRUG ABUSE PREVENTION AND/OR TREATMENT SERVICES TO THE TENNESSEE DEPARTMENT OF MENTAL HEALTH AND SUBSTANCE ABUSE SERVICES' OFFICE OF LICENSURE BY DIALING [WEST TENNESSEE LICENSURE OFFICE PHONE NUMBER; MIDDLE TENNESSEE LICENSURE OFFICE PHONE NUMBER; OR EAST TENNESSEE LICENSURE OFFICE PHONE NUMBER, AS APPLICABLE TO THE LOCATION OF THE MUNICIPALITY].

(d) If a municipality maintains a website, the notice required under subsection (c) must be placed prominently on the municipality's website.

(e) A municipality may adopt an ordinance encouraging sober living homes to:

(1) Become chartered by an organization described under (a)(2)(B)(i); or

(2) Comply with the requirements for recovery residences prescribed by an organization described under subdivision (a)(2)(B)(ii).

(f) Any ordinance adopted under this section must comply with the Fair Housing Act, 42 U.S.C. § 3601 et seq., and the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101 et seq.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

Amendment No. 1 to HB2706

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 2734

House Bill No. 2706*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting the language "Probate and" from Section 1 wherever it may appear.

SECTION 2. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting Section 2 and substituting instead the following:

SECTION 2. Such court shall have jurisdiction over all matters over which jurisdiction is now or shall hereafter be vested in Juvenile Courts by the general laws of the State of Tennessee, including, but not limited to, the jurisdiction as now vested in the County Court of Dickson County, Tennessee, by the general laws of the state and those judicial powers vested in the County Judge of Dickson County, Tennessee, by Public or Private Acts, and by Title 34, Chapters 1 and 2, only as those provisions relate to juveniles, and Tennessee Code Annotated, Title 37, Chapters 1 through 17, inclusive; all to the extent that under such laws the jurisdiction thereunder was vested heretofore in any Juvenile Court or any County Court or any court exercising the jurisdiction thereof formerly known as a Quorum County Court or Monthly County Court.

SECTION 3. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting Section 4 and substituting instead the following:

SECTION 4. The County Clerk of Dickson County, Tennessee, shall act as the Clerk of the Juvenile Court of Dickson County, Tennessee, as herein established

Amendment No. 1 to HB2706

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 2734

House Bill No. 2706*

and when acting as clerk or such court, shall be designated as the "Clerk of the Juvenile Court of Dickson County, Tennessee." Such clerk shall acquire and maintain a seal for the court containing the designation "Clerk of the Juvenile Court of Dickson County, Tennessee" and such minute books and other necessary records for such court as shall be necessary and required. The clerk shall charge all fees and be entitled to receive such fees and charges as shall be fixed by the general laws of the State of Tennessee from time to time for any county or Juvenile Court in the State of Tennessee, and which such fees when collected shall be accounted for and disbursed as all fees and charges are similarly done by such courts. The County Clerk shall be empowered to designate one or more persons employed by him as deputies from time to time to be a deputy clerk for the court herein created.

SECTION 4. Chapter 267 of the Private Acts of 1982, and any other acts amendatory thereto, is amended by deleting from **SECTION 6** the language ", or any contests of any will being probated therein,".

SECTION 5. All unfinished and pending probate matters in the Probate and Juvenile Court prior to the effective date of this act shall be transferred to the Chancery Court in Dickson County not later than the close of business on the day preceding the effective date of this act. On or before the effective date of this act, all official books, records, and other documents pertaining to any probate matter of the Probate and Juvenile Court shall be delivered to the Chancery Court.

SECTION 6. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Dickson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body and certified to the secretary of state.

SECTION 7. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective on September 1, 2018, after being approved as provided in Section 6.

Amendment No. 1 to HB2033

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1796*

House Bill No. 2033

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 36, Chapter 3, Part 6, is amended by adding the following new section:

36-3-627.

(a) A petitioner may, at the time of filing a petition for an order of protection, request that the court issue an order directing a wireless telephone service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to the petitioner if the petitioner:

(1) Is not the account holder; and

(2) Proves by a preponderance of the evidence that the petitioner and any minor children in the petitioner's care are the primary users of the wireless telephone numbers that will be ordered transferred by a court under this subsection (a).

(b)

(1) An order transferring the billing responsibility for and rights to the wireless telephone number or numbers to a petitioner under subsection (a) must be a separate order that is directed to the wireless telephone service provider.

(2) The order must list:

(A) The name and billing telephone number of the account holder;

(B) The name and contact information of the petitioner to whom the telephone number or numbers will be transferred; and

Amendment No. 1 to HB2033

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1796*

House Bill No. 2033

(C) Each telephone number to be transferred to the petitioner.

(3) The court shall ensure that the petitioner's contact information is not provided to the account holder in proceedings held under this section.

(4) The order must be served on the wireless telephone service provider's agent for service of process.

(5) The wireless service provider shall notify the requesting party if the wireless telephone service provider cannot operationally or technically effectuate the order due to certain circumstances, including when:

(A) The account holder has already terminated the account;

(B) Differences in network technology prevent the functionality of a device on the network; or

(C) There are geographic or other limitations on network or service availability.

(c)

(1) Upon a wireless telephone service provider's transfer of billing responsibility for and rights to a wireless telephone number or numbers to a petitioner under subsection (b), the petitioner shall assume:

(A) Financial responsibility for the transferred wireless telephone number or numbers;

(B) Monthly service costs; and

(C) Costs for any mobile device associated with the wireless telephone number or numbers.

(2) A transfer ordered under subsection (b) does not preclude a wireless telephone service provider from applying any routine and customary requirements for account establishment to the petitioner as part of the transfer of billing responsibility for a wireless telephone number or numbers and any devices attached to that number or numbers, including, but not limited to, identification, financial information, and customer preferences.

(d) This section does not affect the ability of the court to apportion the assets and debts of the parties as provided for in law, or the ability to determine the temporary use, possession, and control of personal property under this chapter.

(e) Notwithstanding any other law to the contrary, no cause of action shall lie in any court nor shall any civil, criminal, or administrative proceeding be commenced by a governmental entity against any wireless telephone service provider, or its directors, officers, employees, agents, or vendors, for:

(1) Action taken in compliance with an order issued under this section;

(2) A failure to process an order issued under this section, unless the failure is the result of gross negligence, which must be shown by clear and convincing evidence; or

(3) Providing in good faith call location information or other information, facilities, or assistance in accordance with subsection (a) or any rules promulgated under this section.

(f) If an order of protection is issued, but a separate order under § 36-3-606(a)(12) did not issue at the time of the order, or if the order of protection was issued prior to the availability of the relief under § 36-3-606(a)(12), a petitioner may, at any time, petition the court issuing the order of protection to modify the order and require a

wireless service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to the petitioner pursuant to this section.

SECTION 2. Tennessee Code Annotated, Section 36-3-606, is amended by adding the following new subdivision to subsection (a):

(12) Ordering a wireless service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to a petitioner pursuant to § 36-3-627.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2339

**Wirgau
Signature of Sponsor**

AMEND Senate Bill No. 1653*

House Bill No. 2339

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Chapter 133 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting the second sentence of Section 3 and substituting instead the following:

The county legislative body shall designate and use the proceeds to promote tourism and economic development in Obion County.

SECTION 2. Chapter 133 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting the word "shall" in the last sentence of Section 6 and substituting instead the word "may".

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Obion County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Obion County and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall become effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.

Amendment No. 1 to HB1344

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 1399

House Bill No. 1344*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-3-107(b)(1), is amended by designating the existing language as subdivision (A) and adding the following language as new subdivision (B):

(B)

(i) If the county election commission has arranged for the use of a public school or a public charter school as a polling place for a regular November election, as defined in § 2-1-104, then the LEA or the public charter school, respectively, shall be closed for instruction on the election day. The LEA or the public charter school may use the day as an in-service day for school personnel.

(ii) An LEA or public charter school may choose to be open or closed for instruction on election days other than days on which a regular November election occurs. If an LEA or public charter school chooses to close on an election day, then the LEA or public charter school may use the day as an in-service day for school personnel.

(iii) Before adopting a calendar for a school year, each LEA and public charter school shall consult with the county election commission as to the elections that are scheduled to be conducted during the school year for which the calendar is to be adopted.

SECTION 2. This act shall take effect January 1, 2019, the public welfare requiring it.

Amendment No. 1 to HB2561

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 2343*

House Bill No. 2561

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 5-9-113, is amended by deleting the section and substituting instead the following:

(a) The county legislative body of any county with a metropolitan government and a population not less than five hundred thousand (500,000), according to the 2010 federal census or any subsequent federal census, is authorized to appropriate funds for affordable housing or workforce housing.

(b) As used in this section:

(1) "Affordable housing" means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning sixty percent (60%) or less of the area median income for the Nashville-Davidson County metropolitan statistical area as determined by the United States department of housing and urban development, adjusted for family size; and

(2) "Workforce housing" means housing that, on an annual basis, costs thirty percent (30%) or less than the estimated median household income for households earning more than sixty percent (60%) and not to exceed one hundred twenty percent (120%) of the area median income for the Nashville-Davidson County metropolitan statistical area as determined by the United States department of housing and urban development, adjusted for family size.

Local Government Committee 1

Amendment No. 1 to HB2561

Wirgau
Signature of Sponsor

AMEND Senate Bill No. 2343*

House Bill No. 2561

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.

Amendment No. 1 to HB1938

**Wirgau
Signature of Sponsor**

AMEND Senate Bill No. 1688*

House Bill No. 1938

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-13-104, is amended by deleting the last sentence of the section and substituting instead the following:

Except as provided in § 2-13-1___, a party may require by rule that candidates for its nominations be bona fide members of the party.

SECTION 2. Tennessee Code Annotated, Title 2, Chapter 13, Part 1, is amended by adding the following new section:

A statewide political party or recognized minor party shall not adopt a party rule that would preclude an honorably discharged veteran of the United States armed forces who has been separated from the armed forces for less than ten (10) years from qualifying as a candidate for any office based on the number of times the veteran voted during the three (3) primary elections immediately preceding the election for which the veteran seeks qualification.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB1939

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1500*

House Bill No. 1939

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1306(c), is amended by adding the following as a new subdivision:

(4)

(A) Is in the actual discharge of official duties as a county commissioner

and:

(i) Is authorized to carry a handgun pursuant to § 39-17-1351;

and

(ii) Is in a building in which county commission meetings are held,

but is not in the room in which judicial proceedings are in progress.

(B) As used in this subdivision (c)(4), "county commissioner" means a member of a local legislative body known as a board of county commissioners and does not include a member of the legislative body of a metropolitan government.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

Transportation Committee 1

Amendment No. 1 to HB0836

**Doss
Signature of Sponsor**

AMEND Senate Bill No. 912

House Bill No. 836*

by deleting the effective date section and substituting instead the following:

SECTION _____. This act shall take effect July 1, 2018, the public welfare requiring it.

Amendment No. 1 to HB2510

Sexton C
Signature of Sponsor

AMEND Senate Bill No. 2095*

House Bill No. 2510

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. The commissioner of mental health and substance abuse services shall convene a working group to examine the potential impact of authorizing advance practice nurses and physician assistants in this state to prescribe buprenorphine containing products for the treatment of opioid use disorder and any potentially appropriate clinical settings for any such prescribing authority. The working group shall include at least one (1) representative from the Tennessee department of health, the Tennessee department of mental health and substance abuse services, the Tennessee bureau of investigation, the Tennessee Association of Chiefs of Police, the Tennessee Medical Association, the Tennessee Nurses Association, the Tennessee Academy of Physician Assistants, the Tennessee Primary Care Association, the Tennessee Society of Addiction Medicine, the Tennessee Recovery Coalition, the Tennessee Association of Alcohol, Drug, and Other Addiction Services, the Tennessee Association of Mental Health Organizations, Neighborhood Health, and a facility licensed as a nonresidential office-based treatment facility by the department of mental health and substance abuse services.

SECTION 2. Any costs associated with participation in the working group shall be borne by the individual participants or their respective associations or organizations and not by the state of Tennessee, except for those who are employed by this state. In no event shall this working group require the hiring of additional staff by this state.

SECTION 3. No later than February 1, 2019, the working group shall submit a report regarding its findings and recommendations to the commissioner of mental health and substance abuse services, the commissioner of health, the health committee of the house of

Amendment No. 1 to HB2510

Sexton C
Signature of Sponsor

AMEND Senate Bill No. 2095*

House Bill No. 2510

representatives, and the health and welfare committee of the senate, at which time the working group shall cease to exist.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.